

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

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|--------------------------|---|-------------------------|
| PSN ILLINOIS, LLC, |) | |
| an Illinois corporation, |) | Case No. 07 C 7190 |
| |) | |
| Plaintiff, |) | Judge Hibbler |
| |) | |
| vs. |) | Magistrate Judge Valdez |
| |) | |
| ABCAM, Inc. et al. |) | |
| |) | |
| |) | |
| Defendants. |) | |

**PSN’S ILLINOIS, LLC’S REPLY TO DEFENDANT
LIFESPAN BIOSCIENCES, INC.’S AMENDED COUNTERCLAIM**

Plaintiff PSN Illinois, LLC (“PSN”) replies to the amended counterclaims of defendant, LifeSpan BioSciences, Inc., by its undersigned attorney as follows:

PARTIES AND JURISDICTION

1. This lawsuit is civil action arising under the patent laws of the United States, including 35 U.S.C. §§ 1 *et seq.*, and under the Declaratory Judgment Act, 28 U.S.C. § 2201.

RESPONSE: PSN admits the allegations in paragraph 1.

2. On information and belief, PSN is a limited liability company organized under the laws of the State of Illinois and having a principal place of business at 280 W. Adams Street, Chicago, Illinois 60604.

RESPONSE: PSN admits to having an address at 280 West Adams Street, Chicago, Illinois; otherwise, denied.

3. This Court has subject matter jurisdiction over the action pursuant to 28 U.S.C. §§ 1331, 1338(a), and 2201. Additionally, this counterclaim is compulsory and therefore is within the ancillary jurisdiction on this Court.

RESPONSE: PSN admits the allegations in paragraph 3.

4. This Court has personal jurisdiction over the plaintiff/counterdefendant, PSN ILLINOIS, LLC because, among other reasons, it is a resident of this judicial district and because it has purposefully availed itself of the benefits and protection of the laws of the State of Illinois by filing this lawsuit.

RESPONSE: PSN admits the allegations in paragraph 4.

5. PSN claims to be the assignee of, and to own all rights, title, and interest in and to, and to have standing to sue for past, present and future infringement of United States Patent No.5,856,443, *Molecular Cloning And Expression of G-Protein Coupled Rceptors* and United States Patent No. 6,518,414, *Molecular Cloning And Expression of G-Protein Coupled Receptors* [hereafter collectively “the patents-in-suit”], which patents are the basis of and are attached to PSN’s Complaint.

RESPONSE: PSN admits that it is the assignee of, and to own all rights, title, and interest in and to, and to have standing to sue for past, present and future infringement of United States Patent No.5,856,443, *Molecular Cloning And Expression of G-Protein Coupled Rceptors* and United States Patent No. 6,518,414, *Molecular Cloning And Expression of G-Protein Coupled Receptors*, which are the basis for this lawsuit.

6. PSN asserts that LifeSpan infringed the patents-in-suit.

RESPONSE: PSN admits the allegation contained in paragraph 6.

COUNT I

7. LifeSpan re-asserts the allegations in Paragraphs 1-6 above.

RESPONSE: PSN re-asserts its responses to Paragraphs 1-6 above.

8. LifeSpan does not and has not infringed any claims of the patents-in-suit, literally or by equivalents, directly or indirectly, or in any other manner.

RESPONSE: PSN denies the allegation contained in paragraph 8.

9. There is a substantial and continuing justiciable controversy between the parties as to infringement of the patents-in-suit by LifeSpan.

RESPONSE: PSN denies the allegation contained in paragraph 9.

WHEREFORE, the Plaintiff/Counterdefendant, PSN ILLINOIS, LLC, prays this Court enter judgment in its favor and against LifeSpan BioSciences, Inc., and deny each subsection A-D of relief requested by LifeSpan BioSciences, Inc. in its amended counterclaim, Count I.

COUNT II

10. LifeSpan re-asserts the allegations in Paragraphs 1-6 above.

RESPONSE: PSN re-asserts its responses to Paragraphs 1-6 above.

11. The patents-in-suit are invalid under the United States Patent Act.

RESPONSE: PSN denies the allegation contained in paragraph 11.

12. There is a substantial and continuing justiciable controversy between the parties as to infringement of the patents-in-suit by LifeSpan.

RESPONSE: PSN denies the allegation contained in paragraph 12.

WHEREFORE, the Plaintiff/Counterdefendant, PSN ILLINOIS, LLC, prays this Court enter judgment in its favor and against LifeSpan BioSciences, Inc., and deny each

subsection A-D of relief requested by LifeSpan BioSciences, Inc. in its amended counterclaim, Count II.

JURY DEMAND

PSN requests a jury as to all issues raised not only by its Complaint, but also by LifeSpan's amended counterclaims and/or PSN's reply thereto.

Respectfully submitted,

Dated: May 12, 2008

s/Michael P. Mazza/

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **PSN'S ILLINOIS, LLC'S REPLY TO DEFENDANT LIFESPAN BIOSCIENCES, INC.'S AMENDED COUNTERCLAIM** was served on all counsel of record via E-filing or Via U.S. Mail, on this 12th day of May, 2008.

s/Michael P. Mazza/_____